

# RAIZNER — SLANIA LLP

Subject: Taslid Interests, Inc., et al. v. Arch Specialty Ins Co // PLF EXPERT

DESIGNATION

Pages: 8

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**EXHIBIT 1**

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

TASLID INTERESTS, INC. and KATY  
MOTELS, INC. dba MEMORIAL INN &  
SUITES

*Plaintiffs,*

v.

ARCH SPECIALTY INSURANCE  
COMPANY

*Defendant.*

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Civil Action No. 4:18-cv-1692

**PLAINTIFFS' DESIGNATION OF EXPERT WITNESSES**

TO: **DEFENDANT, ARCH SPECIALTY INSURANCE COMPANY**, by serving its attorneys of record, Christopher M. Raney and Allison K. Wells, GORDON REES SCULLY MANSUKHANI LLP, 1900 West Loop South, Suite 1000, Houston, Texas 77027

COME NOW, Plaintiffs, **TASLID INTERESTS, INC. and KATY MOTELS, INC. dba MEMORIAL INN & SUITES (“Plaintiffs”)** and serve this Designation of Expert Witnesses as shown on attached Exhibit A, subject to the following:

**I.**

Plaintiffs offer their designation and disclosure of persons who may be called to offer expert testimony in this matter. Plaintiffs reserve the right to supplement this designation with additional designations of experts within the time limits imposed by the Court or any alterations of same by subsequent court Order or agreement of the parties, or pursuant to the Federal Rules of Civil Procedure.

**II.**

Plaintiffs reserve the right to elicit, by way of cross-examination, opinion testimony from experts designated and called by other parties to the suit. Plaintiffs express their intention possibly to call as witnesses associated with adverse parties, any of Defendant’s experts.

Plaintiffs specifically advises that such persons may be called to give expert testimony within the scope of their experience, background, and training.

### III.

Plaintiffs reserve the right to call undesignated rebuttal expert witnesses, whose testimony cannot reasonably be foreseen until the presentation of the evidence against Plaintiffs.

### IV.

Plaintiffs reserve the right to withdraw the designation of any expert and to aver positively that any such previously designated expert will not be called as a witness at trial, and to re-designate same as a consulting expert, who cannot be called by opposing counsel.

### V.

Plaintiffs reserve the right to elicit any expert opinion or lay opinion testimony at the time of trial which would be truthful, which would be of benefit to the jury to determine material issues of fact, and which would not violate any existing Court Order or the Federal Rules of Civil Procedure.

### VI.

Plaintiffs reserve whatever additional rights it might have with regard to experts, pursuant to the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the case law construing same, and the rulings of the trial court.

Respectfully Submitted,

**RAIZNER SLANIA, LLP**

/s/Jeffrey L. Raizner

Jeffrey L. Raizner: Attorney-In-Charge

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**ATTORNEYS FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

I, the undersigned attorney, do hereby certify that a true and correct copy of the foregoing document was forwarded to counsel of record on this the 19<sup>th</sup> day of October 2018, via ECF, hand delivery, overnight courier, U.S. Mail, certified mail, return receipt request, or facsimile, pursuant to the Federal Rules of Civil Procedure.

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**ATTORNEYS FOR DEFENDANT**

/s/Jeffrey L. Raizner  
Jeffrey L. Raizner

**Exhibit A**

(f) for any testifying expert:

- (1) the expert's name, address, and telephone number;
- (2) the subject matter on which the expert will testify;
- (3) the general substance of the expert's mental impressions and opinions and a brief summary of the basis for them, or if the expert is not retained by, employed by, or otherwise subject to the control of the responding party, documents reflecting such information;
- (4) if the expert is retained by, employed by, or otherwise subject to the control of the responding party:

(A) all documents, tangible things, reports, models, or data compilations that have been provided to, reviewed by, or prepared by or for the expert in anticipation of the expert's testimony; and

(B) the expert's current resume bibliography

1. Plaintiffs designate the following expert pursuant to the F. R. Civ. P. 26(a)(2)(B). Mr. John Odam has been specially retained for litigation purposes by Plaintiffs and he may be called as an expert witness to give testimony in the form of opinions within the scope of his stated expertise.

John Odam  
3207 Mercer  
Houston, Texas 77027  
Ph. (713) 562-2837

Mr. Odam is a licensed attorney and is qualified by his experience and education to testify and is expected to be called upon to testify at trial, as to the reasonableness and necessity of the attorneys' fees and expenses incurred by Plaintiffs in prosecuting its claims in this matter. It is expected that based upon the continuing nature of the legal work, before trial Mr. Odam will be provided with information (non-privileged) concerning the qualification of this time and necessary and reasonable attorneys' fees. Mr. Odam may also testify to rebut the expert opinions of Defendant.

A true and correct copy of his curriculum vitae, which accurately sets forth and summarizes his qualifications to offer testimony (including his education, training, and publications), labeled *Bates Nos. 000591-000629, MEM INN* is being produced and incorporated by reference. Defendant has refused to produce any relevant claim documents and thus Plaintiff will supplement Mr. Odam's report in due course.

2. Plaintiffs designate the following expert pursuant to the F. R. Civ. P. 26(a)(2)(B). Mr. Steve Strzelec has been specially retained for litigation purposes by Plaintiffs and he may be called as an expert witness to give testimony in the form of opinions within the scope of his stated expertise.

Steve Strzelec  
20719 NE 8th Street  
Sammamish, WA 98074  
Ph. (206) 427-4322

Mr. Strzelec is a claims practices consultant and is qualified by his experience and education to testify and is expected to be called upon to testify at trial, as to established claims handling industry standards, Defendant's practices, policies and procedures related to claims handling standards, and the handling of the Plaintiffs' insurance claims by Defendant, their representatives, and consultants. Mr. Strzelec may also testify to rebut the expert opinions of Defendant.

A true and correct copy of his curriculum vitae, which accurately sets forth and summarizes his qualifications to offer testimony (including his education, training, and publications), labeled *Bates Nos. 000591-000629, MEM INN* is being produced and incorporated by reference. Defendant has refused to produce any relevant claim documents and thus Plaintiff will supplement Mr. Strzelec's report in due course.

3. Plaintiffs designate the following expert pursuant to the F. R. Civ. P. 26(a)(2)(B). Mr. Thomas J. Irmiter have been specifically retained for litigation purposes by Plaintiffs and may be called as expert witnesses to give testimony in the form of opinions within the scope of their stated expertise.

Thomas J. Irmiter  
Forensic Building Science, Inc.  
2168 Juliet Avenue  
Saint Paul, MN 55105  
Ph. (651) 222-6509

Mr. Irmiter, President of Forensic Building Science, Inc., is qualified by his experience and education to testify, and is expected to be called upon to testify at trial, as to the structural damages incurred by Plaintiffs due to the August 27, 2017 windstorm. Mr. Irmiter may also testify regarding proper building replacement and repair methods, applicability of relevant building codes, extent of physical damages, causation, scope of repairs, and the need for replacement or repair due to the August 27, 2017 windstorm. Mr. Irmiter may also testify to rebut the expert opinions of Defendant.

A true and correct copy of Mr. Irmiter's report dated February 27, 2018 labeled *Bates Nos. 000001-000361, MEM INN* was produced April 13, 2018. The curriculum vitae of Mr. Irmiter, which accurately set forth and summarizes his qualifications to offer testimony in this area (including education, training, teaching experience, and publications), labeled *Bates Nos. 000591-000629, MEM INN* is being produced and incorporated by reference.

4. Plaintiffs designate the following experts pursuant to F. R. Civ. P. 26(a)(2)(B). Mr. Robert Hinojosa has been specifically retained for litigation purposes by Plaintiffs and may be called as an expert witness to give testimony in the form of opinions within the scope of his stated expertise.

Robert Hinojosa  
RJH & Associates, Inc.  
215 Grand Boulevard, Suite 102  
Miramar Beach, FL 32550  
Ph. (850) 608-6221

Mr. Hinojosa, Principal Engineer and Owner of RJH & Associates, Inc., is qualified by his experience and education to testify, and is expected to be called upon to testify at trial, as to the cause and extent of structural damages including to business personal property and other items covered under the subject insurance policy issued to Plaintiffs, as well as cost of repairs to, incurred by Plaintiffs due to the August 27, 2017 windstorm. Mr. Hinojosa may also testify regarding proper building replacement and repair methods, applicability of relevant building and health codes, extent of physical damages, causation, scope of repairs, and the need for replacement or cost repairs due to the August 27, 2017 windstorm. Mr. Hinojosa may also testify to rebut the expert opinions of Defendant.

A true and correct copy of Mr. Hinojosa's report dated February 27, 2018 labeled *Bates Nos. 000001-000361, MEM INN* was produced April 13, 2018. The curriculum vitae of Mr. Hinojosa, which accurately set forth and summarizes his qualifications to offer testimony in this area (including education, training, teaching experience, and publications), labeled *Bates Nos. 000591-000629, MEM INN* is being produced and incorporated by reference.